

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JON BLACKHAWK,

Defendant.

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Case No. 6:09-CV-03033-MDH

ORDER

Before the Court is the Government's Motion for Conditional Release. (Doc. 96). Pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, the government's motion was referred to the United States Magistrate Judge for preliminary review under 28 U.S.C. § 636(b).

The Magistrate Judge conducted a hearing on October 11, 2019, and submitted a report and recommendation to the undersigned. (Doc. 99). Defendant has agreed to waive the statutory 14 day waiting period in which to file exceptions. (Doc. 98) Therefore, the matter is ripe for review. After a review of the record before the Court, the Court agrees with the report and recommendation issued by the United States Magistrate Judge, and in accordance with such:

IT IS HEREBY ORDERED that the report and recommendation (Doc. 99) of the United States Magistrate Judge is **ADOPTED** and that the government's Motion for Conditional Release (Doc. 96) is **GRANTED**.

IT IS FURTHER ORDERED that Defendant be, and is hereby, conditionally released pursuant to Title 18 U.S.C. § 4246(e) under the following conditions:

1. Defendant shall reside when a bed is available at Shiloh Assisted Living, 5384 Country Care Lane, Pequot Lakes, MN 56472. Defendant shall not make any change in his residence without the advance approval of the mental health providers and the final approval of the Supervising U.S. Probation Officer.
2. Defendant shall comply with all recommendations of treatment and will comply with all mental health appointments at approved mental health provider. Defendant shall not change providers without advance approval of the U.S. Probation Officer.
3. Defendant is restricted from travel outside of the District of Minnesota except with the prior approval of the U.S. Probation Officer.
4. Defendant shall comply with psychiatric treatment as directed by the treatment team and the U.S. Probation Office, to include oral and injectable psychotropic medications.
5. While Defendant is in outpatient counseling he may be admitted to an inpatient facility or places in a crisis stabilization facility should his treating clinicians or U.S. probation officer deem it is necessary for his safety or the safety of others in his community.
6. Defendant shall abstain from all use of alcohol and other drugs not prescribed by his treating physician. His treating physician shall notify the U.S. Probation Officer of any changes in the administration of anti-psychotic drugs.
7. Defendant shall submit to urine analysis and other drug testing for the detection of use of controlled substances and to undergo regular urine and serum blood level screening if ordered by the treating physician and U.S. Probation Officer to ensure abstinence from substances and the maintenance of a therapeutic level of medication.
8. Defendant shall participate in outpatient/inpatient substance abuse counseling as directed by the U.S. Probation Officer, if deemed necessary.

9. Defendant shall not possess any firearms, destructive device, or other dangerous weapons and shall submit to a random search of his person, property and residence.
10. Defendant shall not commit another federal, state, or local crime.
11. Defendant shall report any contact with any law enforcement officer to the U.S. Probation Office within 24 hours of the contact.
12. Defendant shall be supervised by the U.S. Probation Office to ensure his compliance. Defendant shall comply with the standard conditions of the U.S. Probation Office, District of Minnesota, including waiving his right to confidentiality regarding his mental health treatment in order to allow sharing of information with the Supervising Probation Officer who will assist in evaluating the ongoing appropriateness of community placement.
13. Defendant's failure to adhere to any of these conditions will result in him being located, taken into custody, and subsequently reviewed by the federal court of jurisdiction for suitability for continued release to the community.

IT IS SO ORDERED.

DATED: October 18, 2019

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE